

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU
WRIT PETITION NO : 17163 of 2004

Between:

S. Atchimi Naidu, S/o. Venkata Swamy,
R/o.H.No. 30-57-9, Kanithi Colony, Vadlapudi Post, Gajuwaka
Mandal, Visakhapatnam District.

..... PETITIONER

AND

- 1 The Chairman cum Managing Director, Visakhapatnam Steel Plant, Visakhapatnam District.
- 2 The Additional Commissioner Industries and Special Officer (L.A) Steel Plant, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate Writ order or direction, preferably a Writ in the nature of Mandamus, declare that the action on the part of 1st respondent in not providing the petitioner a suitable post as per his qualification under rehabilitation quota and on the other hand issuing employment notice dt. 15.3.2004 and thereby conducting written test on 26-9-2004 is nothing but arbitrary, illegal and unsustainable.

Counsel for the Petitioner:MR.SAMINENI KISHORE

Counsel for the Respondent No.1: MR.V.RAVINDER RAO

Counsel for the Respondent No.2 : G.P. FOR REVENUE

The Court at the stage of admission made the following :

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17163 of 2004

ORDER:

The petitioner is an unemployed Engineering Graduate. He claims that he is a member of the displaced families of the 1st respondent-steel plant. The 1st respondent issued a notification on 15.3.2004 inviting applications from eligible candidates for certain Executive posts. The petitioner claims that he also made an application, but the said application was rejected on the ground that he is over aged. The petitioner, therefore, approached this Court through this writ petition seeking to declare the action of the 1st respondent in not providing suitable post to the petitioner as per his qualifications under the rehabilitation quota as arbitrary and illegal.

In the notification dated 15.3.2004, the 1st respondent prescribed the maximum age limit at 28 years. The petitioner contends that though he is 32 years old, he is entitled to be considered in pursuance of certain guidelines issued by the Additional Commissioner, Industries and Special Officer (Land Acquisition) Steel plant. The petitioner did not place any material as to what is his right to be considered as an eligible candidate even though he is over aged. The petitioner also did not place any material to show whether he is entitled to be considered as a displaced person for the Executive post. In the absence of such material, it is not possible to issue any direction to the respondents to consider the case of the petitioner and to declare him as eligible candidate. In the light of the above circumstances, the writ petition cannot be maintained.

Accordingly, the writ petition is dismissed. No order as to costs.

23rd September, 2004

Nn.

Copies to:

- 1 The Chairman cum Managing Director, Visakhapatnam Steel Plant, Visakhapatnam District.
- 2 The Additional Commissioner Industries and Special Officer (L.A) Steel Plant, Visakhapatnam District.
3. Two C.Cs to G.P. for Revenue, High Court Buildings, High Court of A.P., Hyderabad (O.U.T)
4. Two C.D. copies.